GENERAL AND REVENUE SECRETARIAT.

P 18 E

1909-10

Genl. Pub.

File No. 37-09

Serial Nos. 1-9

Papers Filed.

Month October 1909

SUBJECT.

Informing Mr. M. A. Krishnaiyar, Advocate, Nagore, that the course suggested by him re the sale of the Estates of the Bobbili Zamindar's family, is not considered to be best interests of all concerned.

PREVIOUS REFERENCES.

R. 7. 165 of 1893/4.

LATER REFERENCES.

B. Dec. 1909 SS 4, 7, 8, 12, 13, 15, 19-22. G. 7. 370 9.
S. Feb. 4-16 SS 3-5, 7, 8. Dec. 16
G. 7. Dep. 136/32
137/32

G.R.S. 11] 1909. 10

GENERAL AND REVENUE SECRETARIAT

(Govt. Fin)

NOTES.

File. No. 3709

FILE HEADING.

Re Loan granted to Bakshi Thippiah's Family.

From

Mr M. A. Krishnaiengar, Advocate.

Petition No. Dated 17-7-09 Received

Diary No. 337	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Requesting that, under circumstances explained, the properties which belong to Bakshi Thippiah's Family & which are free from encumbrances may be ordered to be sold by Govt. so as to realize and only the prior debt due to the Govt. without further complications & difficulties, but the debts of other creditors also, to a certain extent at least.

NOTES AND ORDERS.

Petitioner's name not mentioned in the petition. Petitioner's address not given.

1 "References" not traced early

Asst. K.S.C. 9/7/09.

2 The present petition is a verbatim copy of a petition presented by Advocate Mr. M. D. Narayana Iyengar some time back. Mr. M. D. Narayana Iyengar preferred

P

NOTES—First sheet

GPB—30,000—20-3-06.

Serial No.

That no further action need be taken on his petition and the enquiry which had been started in this was accordingly dropped.

3 The whole file relating to the loans granted to the several members of Bakshi Thipparahi family is herewith put up.

The first order relating to the grant of about Rs 12-8-2 to Sawmoo Rao & others in 1896 is found in No. R 2506-7 dated 27-6-1895 R7 165-93 it seems

The date referred to in the petition is the date of its transmission in the Mysore Deputy Commissioner.

4 Please see G.O. No. Camp 317-21 dated 6.6.93 sanctioning the loan

Para-4 of the petition

5 The facts relating to the mortgage of the garden below the Kurampi Tank to A Annappa, prior to its hypothecation to Govt are not known to Govt. vide c.f. paper flagged X under (c)

Paras. 5, 6 & 7.

6 The debts incurred by the members of the family in other quarters mentioned in the petition are points for enquiry into & report by the Deputy Commissioner of the Mysore Dt.

If approved this petition may be sent to the Mysore for a report thereon.

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

Para-8-

The petitioners proposal to render further alienations of the Inam villages by the members of the defaulter's family illegal by legislation is a point for consideration & orders of Govt.

Para-9.

The loan accounts relating to the moneys advanced & collected from the members of Bakshi Thippaiah's family are in a confused condition. The following are extracts from the Fin. No. H422-30 & 15-7-1909 reviewing the Statement of loans & advances granted by Govt for 1907-08 relating to the loans granted to the late Bakshi Thippaiah's family.

"D. being printed in the Govt Press.

× × × loan ×

"The accounts connected with all these "loans appear to be still in an unsatisfactory "state. × × × It is a matter for "regret that the Deputy Commissioners "of the Mysore and Hassan Dts should "have allowed the accounts to drift "to the confused condition in which they are & "Govt are constrained to express their displeasure.

× × × × ×

NOTE—Contn. sheet.

GPB—50,000—18-5-08

G. R. S. 12]
General and Revenue Secretariat.

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Serial No.

" The ascertainment of the amounts
" payable on account of principal
" and interest by the debtors (members
" of the Thippanahy family) should be
" Completed and a report submitted
" to Govt by the Dy Com^r of the
" Mysore Dt within two months
" of the receipt of this order ".

Para. 10

9 The petitioner prays that the Mysore Dt Govt may be instructed to sell the properties of the debtors mentioned in Schedule A, free from accrued encumbrance.

10 This a matter for Consideration and orders of Govt, Since the loans had been advanced with a view to save the Inamdars from the clutches of the
N 27/7/09 debtors and to preserve the Inam villages in the enjoyment of the family, whose ancestors were granted the Inam for distinguished Service. This intention on the part of Govt would be frustrated if Govt permit the sale of the Inam villages

11 Excepting the Karanji Tank, the Govt are in possession of the other properties and the realisation of their dues is no doubt slow.

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

Gen Jud File No. 37 of 1909

Serial No.

It does not appear that the Govt will be helping the Mamdars by joining with their other creditors and bringing the estates to sale. Unless the Govt loan are anxious to get back their capital back soon, there is no need to comply with the request of the petitioners m/s Ibrahimjee. Indeed it is a question whether they get their money even if they complied with the request. The best thing for Govt seems to be to stick to their mortgage. Bn III may be consulted

wdh 2/17. 12 To Branch III for favour of opinion

wdh 2.8.09

Rec'd 3.8.09

Subd SW 3.8.09

13 (1) The position of the Government will in no way improve by asking for the sales as suggested. They will not lose the priorities they have already acquired nor will they or gain any which they have not got now.

(2) The Earthe Mortgage deed Executed

1 So far as it is possible to speak from the record

4

NOTE—Contn sheet.

GPB—50,000—18-5-08

G. R. S. 12]
General and Revenue Secretariat.

Gen Jud File No. 37 of 1909

Serial No.

by the debtors to the Govt in 1896, there is no clause providing for repayment of the debt within any definite period. This therefore doubtful whether the Govt may ask for its debt to be paid out of the sale proceed

15 (3) In any case, it seems advisable to consult the local Offices as to whether the procedure suggested is likely to benefit the government.

19/8/09 SA

To Br II

Subs mk 19/8

16 Please put up a draft to the Dy Cr. accordingly, sending him the petition under disposal.

mk 20/8/09

17 Draft submitted

27/8/09

mk 28/8

P.T.O

(For office notes please see note on Sl 4)
Which is a Govt case.

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Records applied-for
Br II (1) (A) 7
Referred note dated 4/09 vol
--- 4.9.09

337

2 7 0

G. F. 37-09-1

K. S. Chandra Sekharan Iyer
Esqr. B. A. B. L
General Revenue Secretary
Government of Mysore
Bangalore

Sir,

1. On 14. 11. 1896 the following persons
1. Samoo Rad alias Thimappiah
2. Samoo Rad
3. Subba Rad
4. Venkata Rad
5. Krishnappah
6. Ramaswamy

borrowed Rupees 12782 from the Mysore Government and executed a Usufructuary deed of mortgage of the four immovable properties mentioned in the annexed

Schedule A.

(2) Each of the aforesaid six individuals save 2 & 3 the first are dead

(3) According to the terms of the said deed the Government was to take possession of the mortgage properties and manage the same, and out of the income after deducting annually towards the interest @ 5 P.C per annum, was to appropriate the balance towards the Principle.

(4) On the date of the said mortgage the garden under the Kiranjee Sault (Item no 3- in Schedule A) was mortgaged with possession for a period of 10 years by the said Krishnappah to one Annappah under a registered deed

to the District Court for the sale of the properties mentioned in both A and B. The total Amount due to the Bank according to the said application is Rupees 12622-14-11. The sale is to be held on the 17th August 1909.

(7) In addition to these, there is another decree obtained by me as Receiver against some of the aforesaid persons in O.S. no: 15 of 1900-01 on the file of the Subordinate judge of Negapatam I have attached some of these properties. The Amount still due under the said decree is about Rupees 9500-0

(8) From the above facts it is evident that the object of the Government

Government which was to save
the estates granted as Inam
to the successors of these persons
by leading such large sums
is frustrated in their conduct
in their having contracted
further debts. The Government
cannot save them unless these
debts are also discharged
and further alienation by
them is made illegal by legislation.

(9) In connection with this
matter the District Judge
wrote to the Comptroller for
information as to how much
of the debt due to the Government
was discharged out of the Assigned
and he was informed that
about Rupees 24 29 towards the
principle and about Rupees 7450
towards the interest have been
realised

4 realised from the date of the mortgage
up to 1908, even these figures are
admitted to be approximate.
That it is clear that between 40 & 50
12 years for the Government to
realise 24 29 towards the principal
it will take another 50 or 60 years
before the full debt is realised.

(10) For these reasons I request
that you will be so good as to
Consider all the Circumstances
of the Case and to the request-
Commissioner of Mysore to apply
to the District Judge to sell the
properties mentioned in the en-
Schedule A, free from encumbran
So that a fair prices may be
fetched & ~~deducted~~ out of the realisations
Not only the prior debt due to
the Government be promptly realise
without

without further Complications
and difficulties, and the debts
of other Creditors also realized at least to some extent.

I have the honor to remain
Sir.
Your Most obedient
Servant.
Williams Lea Gordon
Advocate

17.7.09.

Schedule A.

(1) The village of Kodenoor, Arkalgood Taluk.

(2) The village of Kirunelly Hunsur Taluk, only a portion

(3) Garden under the Karanjee Tank. Mysore

(4) The village of Padarankodu Hosahelly, Chamarajnagar Taluk.

Schedule B.

(1). A wet land in Arkalgud Taluk Mallinathpur.

(2) A wet land in Periapatam Taluk, Chamahalli

(3) A dry land in Mysore Taluk Belavatta.

(4) Three portions of a house in the Mysore Fort.

17.7.09. Wellington Harbour

5 Drafts for approval

G.R.S. 26]

File No.

Serial No. 9

Diary No. of letter replied to ~~4th~~

No. H 1990

9 Oct 09

General and Revenue Secretariat

( )

, the 190 .

Date of issue 9 Oct 09

Signed by

~~To~~

In reply to his petition
dy 17-7-09 requesting that, in
the cases explained by him,
the Dy Commr, Mysore Division
may be directed to apply to
the District Judge Mysore for
the sale of the property which
the Government hold as security
for the loan they have given to
Sanna Ram & other members of
the late Anche Baklia Hussain's
family, in order
from the sale proceeds the
debt due to the Government
may be discharged & the claims
of the other creditors may
also be satisfied as far
as possible, Mr M. Krishna

over.

SUBJECT.

Jenkyn is informed that the course suggested by him is not considered to be in best all concerned— the interests of ~~the Government~~.

Secy

Jenkyn

List of enclosures

Copied by

Examined by

MGCPB—30,000—16-2-05